



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2020

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P(MD)No.6661 of 2020

Paneerselvam

.. Petitioner/Accused No.4

Vs

1.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pattukottai Sub Division,
Thanjavur District.

2.The Inspector of Police,
Pattukottai All Women Police Station,
Thanjavur District.
(Crime NO.06 of 2020)

... 1 & 2 Respondents / Complainant

3.Rohini

... 3rd Respondent/Defacto complainant

Prayer: Petition filed under Section 482 of the Criminal Procedure Code, to accept the surrender of the petitioner before the Special Court for S.C/S.T. (Prevention of Atrocities) Act i.e., The I Additional District and Sessions Judge at Thanjavur, in connection with the Crime No.06 of 2020 on the file of the 2nd respondent police and to consider the bail application filed by the petitioners on the same day.

For Petitioner : Mr.K.M.Karunakaran

For Respondent : Mr.K.K.Ramakrishnan,

Nos.1&2 Additional Public Prosecutor

ORDER

The petitioner is shown as accused No.4, in crime No.06 of 2020 registered on the file of the Inspector of Police, All Women Police Station, Pattukottai, Thanjavur District, for the offences under Sections 417, 212 of IPC and after further investigation altered into offences under Sections 417, 212 of IPC @ r/w 3(1)(w) (i) & 3(2)(va) of the SC/ST (POA) Amendment Act, 2015.

2. The learned Counsel for the petitioner submits that the main allegation is as against A1. This petitioner has also been



arrayed an accused, since he happens to be the friend of A1. Moreover there is no specific allegation attributed against this petitioner

3.The learned Additional Public Prosecutor, on instructions, submitted that the injured has been discharged from the hospital.

4.Heard Mr.K.M.Karunakaran, learned Counsel appearing for the petitioner and Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the State. Considering the nature of relief sought for in this petition and the present situation, the notice to the third respondent is dispensed with.

5.Considering the rival submissions made on either side, the interest of justice will be served, permitting the petitioner to surrender as prayed for.

6.Accordingly, the petitioner is directed to surrender before the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, within a period of six weeks from the date of receipt of a copy of this order. In the event of the petitioner surrender, the learned I Additional District and Sessions Judge (PCR Court), Thanjavur, shall consider his bail application on the same day on merits in accordance with law. The petitioner shall file his surrender application three days prior to his date of surrender, so that the compliance as required under Section 15(A) of the SC/ST Act is complied with. In the meantime, if the petitioner is arrested the direction will become infructuous. Therefore, the respondent Police is restrained from arresting the petitioner for a period of six weeks.

7.This Criminal Original Petition is allowed on the above terms.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

- 1.The Ist Additional District and Sessions Judge (PCR Court)
Thanjavur.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pattukottai Sub Division,
Thanjavur District.
- 3.The Inspector of Police,
Pattukottai All Women Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.6661 of 2020
25.06.2020

TM/PM

SDS (02.07.2020) 3P-5C